

MINUTES OF COUNCIL REGULAR MEETING – JANUARY 12, 2010

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THE WEST VALLEY CITY COUNCIL MET IN REGULAR SESSION ON TUESDAY, JANUARY 12, 2010, AT 6:30 P.M. IN THE COUNCIL CHAMBERS, WEST VALLEY CITY HALL, 3600 CONSTITUTION BOULEVARD, WEST VALLEY CITY, UTAH. MAYOR WINDER CALLED THE MEETING TO ORDER.

THE FOLLOWING MEMBERS WERE PRESENT:

Mike Winder
Steve Buhler
Carolynn Burt
Don Christensen
Corey Rushton

Wayne Pyle, City Manager
Sheri McKendrick, City Recorder

ABSENT: Russ Brooks
Steve Vincent

STAFF PRESENT:

Paul Isaac, Assistant City Manager
Richard Catten, City Attorney
Russell Willardson, Public Works Director
John Evans, Fire Chief
Kevin Astill, Parks and Recreation Director
Nicole Cottle, CED Director
Jim Welch, Finance Director
Layne Morris, Community Preservation Director
Aaron Crim, Administration
Jake Arslanian, Public Works Department

14785 **OPENING CEREMONY**

The Opening Ceremony was conducted by Mike Winder who invited Harry James Sr. to bestow a Navajo blessing upon the City Council, City staff and others in attendance. Mr. James wished everyone in attendance a prosperous new year.

14786 **SCOUTS**

Mayor Winder welcomed Scout Troop Nos. 441 and 329 in attendance to complete requirements for the Citizenship in the Community and Communications merit badges.

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APPROVAL OF MINUTES OF SPECIAL REGULAR MEETING AND SWEARING-IN CEREMONY HELD JANUARY 4, 2010

The Council read and considered the Minutes of the Special Regular Meeting and Swearing-In Ceremony held January 4, 2010. There were no changes, corrections or deletions.

After discussion, Councilmember Burt moved to approve the Minutes of the Special Regular Meeting and Swearing-In Ceremony held January 4, 2010, as written. Councilmember Christensen seconded the motion.

A roll call vote was taken:

Mr. Buhler	Yes
Ms. Burt	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

14788

COMMENT PERIOD

Upon inquiry by Mayor Winder, the following individuals addressed the City Council during the comment period:

Fynbo (no first name given), 4160 West 38330 South, addressed the City Council and inquired if any City Council member or City staff had received a non-moving violation in West Valley City. He requested that information to be given to the City Recorder. He stated he “could not believe what he had to go through to present his case” to Judge Brown.

Josh Scheurman, 3819 South 4800 West, addressed the City Council. Mr. Scheurman stated he had been coming to City Council meetings for seven years, as he desired to see West Valley City construct a skate park. He stated he understood the City had given a donation to complete the Kearns skate park, which he considered commendable. He advised there was property adjacent to Centennial Park that would be a great site for a skate park and a good alternative to sports already available in the City. He further discussed youth programs in which he was involved but had no resources. He indicated he would continue to look for grants and other funding opportunities for the City to use in constructing a skate park on land the City already owned.

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RESOLUTION NO. 10-02, APPROVE AN AGREEMENT WITH SALT LAKE COUNTY TO PROVIDE ZOO, ARTS AND PARKS FUNDS TO THE UTAH CULTURAL CELEBRATION CENTER

City Manager, Wayne Pyle, presented proposed Resolution No. 10-02 which would approve an Agreement with Salt Lake County to provide Zoo, Arts and Parks funds to the Utah Cultural Celebration Center.

Mr. Pyle stated the Zoo Arts and Parks (ZAP) funding program had granted the Utah Cultural Celebration Center a Tier II award in the amount of \$50,000.00, to be used for expansion of existing programs and creation of new cultural initiatives. He also stated the award would be used during the program year of 2009-2010.

The City Manager advised the Utah Cultural Celebration Center (UCCC) would primarily use ZAP funding for general program development in three designated areas: 1) educational programming and workshops; 2) festivals, celebrations, and concerts; and 3) gallery exhibitions. He also advised that with this new funding, the UCCC would be able to expand its community based arts and cultural programming. He stated the Center would also be able to reach a greater number of West Valley City and Salt Lake County residents of all ages and income levels who represented many cultural and ethnic groups.

Mr. Pyle explained that over the past five years, the UCCC had become the preferred destination for many high quality and diverse cultural and arts events reflecting interests of the community and enhanced the image of West Valley City. He stated the UCCC remained poised to continue maximizing benefits that would result from the yearly ZAP financial award. He also indicated over the next 12 months the UCCC would develop community programming, expand the Partners Program, continue to seek and expand diversified funding sources, and collaborate on opportunities for residents to experience quality multi-disciplinary arts and cultural programming.

After discussion, Councilmember Burt moved to approve Resolution No. 10-02, a Resolution Approving an Agreement between West Valley City and Salt Lake County to Provide Zoo, Arts, and Parks Funds to the Utah Cultural Celebration Center. Councilmember Rushton seconded the motion.

A roll call vote was taken:

Mr. Buhler	Yes
Ms. Burt	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

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Unanimous.

14790

RESOLUTION NO. 10-03, AWARD A CONTRACT TO TRANSCORE ITS, LLC, FOR THE 3500 SOUTH STREET LIGHT INSTALLATION PROJECT

City Manager, Wayne Pyle, presented proposed Resolution No. 10-03 which would award a contract to TransCore ITS, LLC, in the amount of \$37,740.00, for the 3500 South Street Light Installation project.

Mr. Pyle stated bids were solicited and eight bids had been received, as follows: 1) TransCore ITS: \$37,740.00; 2) Tasco Engineering: \$42,451.74; 3) Skyline Electric: \$43,449.95; 4) Hidden Peak Electric: \$44,583.00; 5) Sorensen Companies: \$44,606.00; 6) B. Jackson: \$59,832.80; 7) Nezhoni Construction: \$63,511.57; and 8) Cache Valley Electric: \$88,421.84.

The City Manager reported TransCore ITS had submitted the lowest responsible bid and he recommended approval.

After discussion, Councilmember Rushton moved to approve Resolution No. 10-03, a Resolution Awarding a Contract to TransCore ITS, LLC and Authorizing the Execution of a Contract for the 3500 South Street Light Installation Project. Councilmember Buhler seconded the motion.

A roll call vote was taken:

Mr. Buhler	Yes
Ms. Burt	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

14791

RESOLUTION NO. 10-04, APPROVE A PARKING LOT USE AGREEMENT WITH UTAH TRANSIT AUTHORITY FOR A PARKING FACILITY LOCATED ON THE NORTHEAST CORNER OF DECKER LAKE DRIVE AND 3100 SOUTH

City Manager, Wayne Pyle, presented proposed Resolution No. 10-04 which would approve a Parking Lot Use Agreement with the Utah Transit Authority (UTA) for a parking facility located on the northeast corner of Decker Lake Drive and 3100 South.

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Mr. Pyle stated that during the Interlocal Agreement process between the City and UTA, Lot D had been designated as the major park and ride facility for the West Valley line. He indicated the subject agreement secured UTA's use of 800 spaces within Lot D. He stated the subject agreement was an exhibit to the main Interlocal Agreement between the parties which had been approved.

City Manager, Wayne Pyle, reported the City Council reviewed the subject agreement approximately two years ago and tabled it until further negotiations could be completed with UTA over the value of the lot. He stated that through those negotiations a \$400,000.00 credit had been given for some of the City's obligations on the light rail project. He indicated staff believed this would be an equitable negotiation for an item discussed in the Interlocal Agreement several years prior. He stated the 800-space park and ride lot would become the main park and ride destination on the City's line. The TRAX line had been established with this understanding. The park and ride function occurred mainly between the hours of 7:00 A.M. and 6:00 P.M. and would rarely interfere with event traffic. He stated notification about events would occur through signs placed at the entrances of the lot. He also reported this document simply completed the required documentation of the previous agreements.

After discussion, Councilmember Christensen moved to approve Resolution No. 10-04, a Resolution Authorizing the Execution of a Parking Lot Use Agreement between West Valley City and the Utah Transit Authority for a Parking Facility Located on the Northeast Corner of Decker Lake Drive and 3100 South. Councilmember Burt seconded the motion.

A roll call vote was taken:

Mr. Buhler	Yes
Ms. Burt	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

14792

CONSENT AGENDA:

- A. **RESOLUTION NO. 10-05 APPROVE A RIGHT-OF-WAY AGREEMENT WITH ARCADIO MIRAMONTES AND AMERICA ESQUEDA FOR PROPERTY LOCATED AT 4134 SOUTH 5400 WEST; AND ACCEPT A WARRANTY DEED AND GRANT OF TEMPORARY CONSTRUCTION EASEMENT FOR THE 5400 WEST SIDEWALK PROJECT**

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City Manager, Wayne Pyle, presented proposed Resolution No. 10-05 which would approve a Right-of-Way Agreement with Arcadio Miramontes and America Esqueda for property located at 4134 South 5400 West; and accept a Warranty Deed and Grant of Temporary Construction Easement for the 5400 West Sidewalk Project.

Mr. Pyle stated Arcadio Miramontes and America Esqueda had signed the Right-of-Way Agreement, Warranty Deed and Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by construction of the 5400 West Sidewalk Project extending from 4100 South to 4179 South on the east side of 5400 West. He stated compensation for the right-of-way and easement would be in the amount of \$12,550.00 which amount had been negotiated based on the appraisal amount of \$12,050.00 prepared by Bodell-Van Drimmelen Commercial Appraisers, Inc.

B. RESOLUTION NO. 10-06 ACCEPT A GRANT OF TEMPORARY CONSTRUCTION EASEMENT FROM WILMA BLISS, TRUSTEE OF THE BLISS LIVING TRUST DATED APRIL 7, 1997, FOR PROPERTY LOCATED AT 4175 SOUTH 5400 WEST FOR THE 5400 WEST SIDEWALK PROJECT

City Manager, Wayne Pyle, presented proposed Resolution No. 10-06 which would accept a Grant of Temporary Construction Easement from Wilma Bliss, Trustee of the Bliss Living Trust Dated April 7, 1997, for property located at 4175 South 5400 West for the 5400 West Sidewalk Project.

Mr. Pyle stated the Bliss Living Trust had executed the Grant of Temporary Construction Easement.

The City Manager reported the subject parcel was one of the properties affected by construction of the 5400 West Sidewalk Project extending from 4100 South to 4179 South on the east side of 5400 West. He indicated the necessary right-of-way for the project had been previously granted, therefore, no additional property would be required. He further reported no compensation would be provided for the easement in exchange for relief from the existing Delay Agreement on the property.

After discussion, Councilmember Rushton moved to approve Resolution Nos. 10-05 and 10-06 as presented on the Consent Agenda. Councilmember Christensen seconded the motion.

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A roll call vote was taken:

Mr. Buhler	Yes
Ms. Burt	Yes
Mr. Rushton	Yes
Mr. Christensen	Yes
Mayor Winder	Yes

Unanimous.

THERE BEING NO FURTHER BUSINESS OF THE WEST VALLEY COUNCIL, THE REGULAR MEETING OF TUESDAY, JANUARY 12, 2010, WAS ADJOURNED AT 6:58 P.M., BY MAYOR WINDER.

I hereby certify the foregoing to be a true, accurate and complete record of the proceedings of the Regular Meeting of the West Valley City Council held Tuesday, January 12, 2010.

Sheri McKendrick, MMC
City Recorder